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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/804,210	03/19/2004	Douglas P. O'Connor	44933	6519
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1609 7590 11/22/2005

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WASHINGTON,, DC 20036

EXAMINER

GILMAN, ALEXANDER

ART UNIT	PAPER NUMBER
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2833

DATE MAILED: 11/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/804,210

Applicant(s)

O'CONNOR ET AL.

Examiner

Alexander D. Gilman

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-9,11-17,19,20 is/are rejected.
- 7) ☒ Claim(s) 10,18 and 21 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 4, 6-9, 11-17, 19, 20, 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kunz.

Claims 1, 2, 4, 6-9, 11-17, 19-20, 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Kunz.

With regard to claims 1, 12, 15, 20 Kunz (US 5,494,457) disclose (Fig. 1) a snagless telecommunications connector, comprising:

a connector housing (14, 30) having front and rear ends, and an upper surface extending between said front and rear ends;

a latch beam (18) extending rearwardly from said front end of said housing over and adjacent said upper surface, said latch beam being deflectable to disengage said connector from a mated connection;

first and second ears (44, 46) extending outwardly from said upper surface, each of said first and second ears having a portion tapering toward said rear end of said housing; and

a rib (20) extending outwardly from said latch beam, wherein said first and second ears (44, 46) are formed unitarily with said connector housing.

Kunz does not disclose that the housing being unitarily formed. It would have been obvious to one having ordinary skill in the art at the time the invention was made to unitarily form the housing, since it has been held that forming in one piece an article which has formerly been formed in two pieces and put together involves only routine skill in the art. *Howard v. Detroit Stove Works*, 150 U.S. 164 (1893).

With regard to claims 2, 13, 20, Kunz discloses that said connector is an RJ-45 plug (having 8 grooves).

With regard to claim 4, Kunz discloses that each of said first and second ears are flush with one of side walls of said connector housing.

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With regard to claim 6, Kunz discloses that said first and second ears (44, 46) extend from said upper surface above said latch beam (18).

With regard to claims 7, 20, Kunz discloses that said latch beam (18) and said rib (20) extend rearwardly between said first and second ears.

With regard to claims 8, 16, Kunz discloses that said first and second ears extend substantially perpendicularly from said upper surface of said connector housing.

With regard to claims 9, 17, Kunz discloses that each of said first and second ears is flush with a side wall of said connector housing.

With regard to claims 11, 19, 22, Kunz discloses that said rib (20) is unitarily formed with said latch beam (18).

With regard to claim 14, Kunz discloses that said first and second ears (44, 46) extend above said latch beam.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kunz in view of Huang et al.

Kunz does not disclose that said rib extends higher than said first and second ears.

Huang et al (US D477,571) disclose (Fig. 1) that said rib (the gripped portion) extends higher than said first and second ears.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to extend higher than said first and second ears, as taught by Huang et al, to conveniently operate the rib.

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***Allowable Subject Matter***

Claims 10, 18, 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

No prior art has been found to anticipate or render obvious the presently claimed subject matter.

Specifically, none of the prior art of record discloses the combination of the limitations presented including the specific configuration of the rib having the portion being tapered toward a rear end of said latch beam

***Response to Arguments***

Applicant's arguments filed 05/09/2005 have been fully considered but they are not persuasive. Applicants argue that forming unitarily the Kunz's housing would not be obvious, since the invention could not be used for existing systems.

However, Kunz disclose one of embodiments which includes the plug formed unitarily with wings (ears) (col. 1, lines 32-36).

Hence, the housing formed unitarily is considered a viable solution for new snagless communication connectors.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander D. Gilman whose telephone number is 571 272-2004. The examiner can normally be reached on Monday-Friday, 10:30 a.m. - 8:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 571 272-2800 ext. 33. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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11/18/2005

*Alex Gilman*

**ALEXANDER GILMAN  
PRIMARY EXAMINER**